

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ESLAM MOHAMED KATAB,

Petitioner,

-against-

US IMMIGRATIONS AND CUSTOMS
ENFORCEMENT, et al.,

Respondents.

23-CV-02764 (AS)

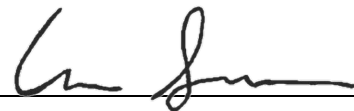
ORDER

ARUN SUBRAMANIAN, United States District Judge:

The motion for an adjournment is granted. Dkt. 32. The hearing previously set for October 16, 2023, will now take place on Tuesday, October 24, 2023, at 11:30 am. Given that the petitioner has been held in detention for over two years, and that he apparently never received a bond hearing to determine whether he poses a risk of danger or flight (because his initial hearing consisted of a judge simply finding that he was subject to mandatory detention), the Government should consider whether it will, given the unique circumstances of this case, voluntarily agree to provide a hearing to petitioner. *See Arce-Ipanaque v. Decker*, No. 19-CV-1076 (JMF), 2019 WL 2136727, at *3 (S.D.N.Y. May 15, 2019) (in case arising under Section 1226(c) where petitioner had been detained for almost two years, ordering individualized bond hearing at which “the Government must ... demonstrate dangerousness or risk of flight by a clear and convincing standard” (internal quotation marks and citation omitted)).

SO ORDERED.

Dated: October 10, 2023
New York, New York



ARUN SUBRAMANIAN
United States District Judge